

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
JUNE 3, 2008  
7:00 P.M.**

**ROLLCALL** Answering rollcall were Members Bennett, Housh, Masica, Swenson and Mayor Hovland.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Swenson and seconded by Member Housh approving the Council Consent Agenda as presented.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**\*APPROVAL OF MINUTES - REGULAR MEETING OF MAY 20, 2008 AND SPECIAL MEETING OF May 20, 2008** Motion made by Member Swenson and seconded by Member Housh approving the minutes of the Regular Meeting of May 20, 2008, and Special Meeting of May 20, 2008.

Motion carried on rollcall vote – five ayes.

**ORDINANCE NO. 2008-04 GRANTED FIRST READING** Affidavits of Notice presented and ordered placed on file.

**Planner Presentation**

Planner Teague presented the proposed ordinance noting it contained two sections, the first dealing with Floor Area Ratio (FAR) and the second which would limit the maximum height to the ridge line of the top of a roof. He reported the Planning Commission's recommendation for denial of the FAR section, approval of the maximum height section of the proposed ordinance and suggestion that there be further examination of FAR on a vicinity basis using the Character Districts within the draft Comprehensive Plan as a starting point.

Mr. Teague reminded the Council of the existing tools in the City's code that included:

- A 25-30% building coverage requirement
- An increased setback of six inches for every foot over 15 feet in height
- Median lot width and size requirement keep new subdivisions in areas with lots that are larger than 9,000 square feet and wider than 75 feet, consistent with the existing neighborhoods.

Mr. Teague also reviewed using graphic examples, the following recent amendments' effects on homes that had been built recently.

- Low Floor Elevation of Tear Downs. The first floor elevation may not be more than one foot above the existing first floor elevation.
- Side-yard setback. A sliding scale of setback requirements based on lot width was established. This will slightly increase the separation between houses on lots that were between 61-75 feet in width.
- Building Height. Building height was now measured from existing grade, rather than proposed grade.
- Exceptions. Bay windows were eliminated as a setback exception. This combated the issue of allowing three feet of building into the setback if the wall was brought in at ground level.

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### **Public Comment**

Laurie Groetz, 5513 Park Place, objected to the proposed ordinance stating its enactment would most likely lower property values.

Gary Aulik, 2374 West Lake of Isles Parkway, Minneapolis, stated while he supported decreasing the size of “monster” homes, but he did not support floor area ratio regulations or height restrictions. He urged more study.

Tom Bakritges, President, Builders Association of the Twin Cities, stated the housing industry was facing difficult times. He quoted an Austin, Texas study of floor area ratio and expressed fear of the negative effect on the housing market without the desired goals being achieved if floor area regulations were enacted in Edina.

Nan Schwappach, 4010 Lynn Avenue, expressed her support of the proposed floor area ratio regulations.

Jane Westin, 6136 Brookview Avenue, expressed concerns with roof heights and how homes directly north of high roof houses would lose access to solar energy.

Len Oberpriller, 5510 Highwood Drive, stated his objections to floor area ratio regulations and suggested that it was not just lot width, but also front yard setback that should determine of roof height.

Scott Busyn, 5018 Arden Avenue, objected to the proposed floor area ratio regulations. He suggested a survey of residents and that the City review “character districts”. He acknowledged that height was an important issue to neighbors.

David Turk, 5500 Park Place, said that one regulation would not fit each situation and that individual neighborhoods should be reviewed.

**Member Swenson made a motion, seconded by Member Housh to close the public hearing.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland  
Motion carried.

Following the public comment, the Council discussed the proposed ordinance. Their consensus was that the FAR regulations needed further review and study, but that the maximum height regulation was ready for adoption. FAR should be considered after some time has passed to determine how the recent changes to the zoning regulations have been working. In addition, it was requested that the effect of the front yard setback be reviewed as it related to maximum heights.

**Member Swenson made a motion to grant Ordinance No. 2008-04 First Reading approving the height regulations as contained in Section 2, directing that information on large lots and front yard setbacks be prepared and presented when the Ordinance was brought back for Second Reading.** Member Bennett seconded the motion

Ayes: Bennett, Housh, Masica, Swenson, Hovland  
Motion carried.

### **PUBLIC COMMENT**

Joan Wierzbza, 6217 Belmore Lane, expressed the concerns felt by the neighbors over the proposed construction of a maintenance facility in her neighborhood by Interlachen Country Club. She relayed that Interlachen cut all the trees from the lot they own on Belmore Lane

without notifying the neighbors of their intentions. She said the Country Club had invited the neighbors to a meeting, which they later cancelled without notifying the neighbors.

Paul Hedbloom, 6205 Spruce Road, stated he was adjacent to the lot where the Country Club had removed all the trees. In his opinion, he stated his lot lost value as a result of this action. Mr. Hedbloom asked that neighbors be given input before any further action take place on the lot by the Country Club.

Ted Volk, 6301 Belmore Lane, presented a resolution he requested the City Council consider regarding the process followed by the City during re-development of property within the City.

George Carroll, Interlachen Country Club General Manager, said the Country Club would have a meeting with the neighborhood within two weeks to explain the long range plan for the property located on Belmore Lane. Mr. Carroll said the neighborhood had been informed of the cancellation of the meeting.

Mary McDonald, 6216 Belmore Lane, disagreed with Mr. Carroll, stating she had not been informed of the cancellation of the neighborhood meeting.

Craig Bennett, 6229 Belmore Lane, expressed his dismay with the Country Club, the negative impact upon the neighborhood due to both the upcoming US Open overflow parking and the potential of a maintenance building in a residential neighborhood.

**\*AWARD OF BID TWO TRUCK BOXES FOR TANDEM TRUCKS – PUBLIC WORKS**

**Motion made by Member Swenson and seconded by Member Housh awarding the bid for truck boxes for two new tandem snowplow trucks to the recommended low bidder, J-Craft Truck Equipment (State of Minnesota Contract # 437050) at \$187,256.82.**

Motion carried on rollcall vote – five ayes.

**\*AWARD OF BID CONTRACT NO. PW-08-5 IMP. NO. WM-483 WELL #3 PUMP HOUSE**

**Motion made by Member Swenson and seconded by Member Housh awarding contract No. PW 08-5 Improvement No. WM-483 for new Well House No. 3, 5233 Halifax Avenue to the recommended low bidder, EnComm Midwest, Inc. at \$328,328.00.**

Motion carried on rollcall vote – five ayes.

**CONTINUED TO JUNE 17, 2008 AWARD OF BID ENG 08-5 MORNINGSIDE WATER MAIN PIPE RE-LINING WM-481**

Engineer Houle using a PowerPoint presentation, explained the Morningside area had experienced a major red water issue which was actually nitrification in their pipes. The pipes in Morningside were between 49 and 69 years old and were unlined cast iron pipes. Mr. Houle said the corrosive soil conditions in the lower areas may have also contributed to the issue. He stated that the City has been continuously flushing the system throughout the winter (3.2 millions gallons to date) and monitoring the chlorine levels. Mr. Houle said the long term solution was to reline the pipes during two stages with the pipes north of 42<sup>nd</sup> Street re-lined during 2008 and the remainder re-lined during roadway rehabilitation projects between 2012 and 2014.

Mr. Houle said that the following four methods were analyzed:

<u>Method</u>	<u>Estimated Costs</u>	<u>Life Added to System</u>
Structural Liner	\$1,238,974	80-120 years*
Cement Liner	\$820,000	20 years
Pipe Burst	\$1,160,000	80-120 years
Open Cut	\$1,010,000	80-120 years

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\*Mr. Houle noted the Insituform's website listed a shorter life for this product at a higher pressure.

He said staff was recommending the water main rehabilitation be done using a structural liner called PRP Thermopipe manufactured by Insituform which has met all federal standards for potable water use. Mr. Houle stated the project was in the Capital Improvement Plan, and allocated at \$480,000; however, the engineering estimate had been based on cement lining of the pipes, similar to the process followed in the City of Minneapolis. He said that based on his review of Capital projects which have come in below the estimates; there was approximately \$1,300,000 available for use in the Morningside Pipe Re-lining project. Mr. Houle added that water rates for Morningside would need to be reviewed since capital projects were funded by the Utility Fund with the water fees collected generating the funds for such improvements.

The Council discussed the proposed Morningside watermain re-lining. Questions included: the recommended product's safety and life expectancy due to its limited use in the United States; timing of the phases of the Morningside watermain re-lining; proposed method of re-lining the pipes; possibility of using a different method for re-lining the pipes, such as cement re-lining; reviewing the most cost effective method for the project; and the rate structure for Morningside.

**Motion made by Member Masica and seconded by Member Bennett to continued action on the bid for Contract No. ENG 08-5 Improvement No. WM-481 for Morningside water main lining project until the June 17, 2008 Council meeting at which time the low bidder, Insituform would be available to answer questions about their product's safety and life expectancy, Ehlers can comment upon the water rate for the Morningside area, and staff can review the project to see if it would be possible to commence the project using both a concrete liner and the proposed plastic liner.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland  
Motion carried.

**RESOLUTION NO. 2008-51 APPROVED ACCEPTING VARIOUS DONATIONS** Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations.

**Member Swenson introduced Resolution No. 2008-51 accepting various donations.**  
Member Bennett seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland  
Motion carried.

**2008 BOARD OF APPEAL AND EQUALIZATION REPORT** John Helling, 5616 Woodcrest Drive, Chair of the Board of Appeal and Equalization, gave an oral report on the work of the Board during 2008. He stated that the Board met on April 14 and April 18 to hear citizens appeal the assessor's value of their property. Mr. Helling reported that they had 13 appeals: one from a commercial property which was forwarded on to Hennepin County for action, six residential properties had their values reduced, four properties were sustained at the same value and two properties were increased in value. The Council thanked Mr. Helling for the work of the Board.

**INTERLACHEN BIKE LANE/SIDEWALK UPDATE BIKE EDINA TASK FORCE** Alice Hulbert, 7221 Tara Road, representing the Bike Edina Task Force (BETF) gave an update on the Interlachen Bike Lane and Sidewalk, noting the City had in 2003 applied for and received a grant from the Metropolitan Council for a bike and pedestrian trail along Interlachen

Boulevard. She related that neighbors concerned about the loss of trees and the safety of the side path design had convinced the City Council to set aside the plan as it had been submitted to the Technical Advisory Board of the Met Council. Ms. Hulbert related the concern of the BETF over the potential loss of the grant at its sunset in June of 2009, unless an acceptable plan was devised getting approval of the City Council, neighbors and the Technical Advisory Board. She stated that the BETF suggested the narrowing the driving lanes to ten and one half feet to allow for a one-way bike lane on each shoulder. Further, the BETF recommended the development of a pedestrian component on the south side currently occupied by the power line. The BETF requested that this modified plan be submitted to the Metropolitan Council's Technical Advisory Board.

The City Council discussed the potential loss of the grant in 2009 and the possibility of developing a "rough plan" for submission to the Technical Advisory Board using two one-way bike lanes and a narrowed roadway. Issues discussed included: neighborhood concern and support for a pedestrian component, difficult topography on Interlachen Boulevard complicating sidewalk installation, costs of City share, and potential traffic signal at Mirror Lakes Drive. Mr. Houle related that following the Women's US Open at Interlachen Country Club, it had been his intention to restripe Interlachen Boulevard. Mr. Houle said he believed two one-way bike lanes on the shoulders with drive lanes narrowed to eleven feet could be accomplished at a minimal cost. Appropriate signage indicating bike lanes and prohibiting parking would also be installed in conjunction with the re-striping.

**Member Housh made a motion, seconded by Member Bennett, directing that Interlachen Boulevard be re-striped on both sides along with the appropriate signage posted to allow the road to be used in both directions as a bike lane. Staff was to bring back the necessary "No Parking" resolutions to the Council. Nothing further would be submitted to the TAB of the Metropolitan Council relative to the previously awarded grant for Interlachen Boulevard.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland  
Motion carried.

**\*HEARING DATE OF JUNE 17, 2008, SET FOR PLANNING ITEMS** Motion made by Member Swenson and seconded by Member Housh to set June 17, 2008 as the hearing date for: 1) Revised Final Development Plan, Revised Conditional Use Permit, Lot Division, 3101 & 3201 West 69<sup>th</sup> Street, DJR Architects/Tom Miller and 2) Preliminary Development Plan and Preliminary Rezoning Approval, 4010 West 65<sup>th</sup> Street, Crosstown Medical LLC.

Motion carried on rollcall vote – five ayes.

**\*RESOLUTION NO. 2008-52 ADOPTED SETTING PUBLIC HEARING OF JULY 1, 2008, FOR IMPROVEMENT NO. BA-345 WOODLAND CIRCLE AND LANE AND IMPROVEMENT NO. BA-352 WOODEND DRIVE** Motion made by Member Swenson and seconded by Member Housh adopting Resolution No. 2008-52 setting July 1, 2008, as the Improvement Hearing Date for Improvement No. BA-345 Woodland Circle and Lane and Improvement No. BA-352 Woodend Drive.

Motion carried on rollcall vote – five ayes.

**\*CHANGE ORDER WELL NO. 3 LOCATED AT 5233 HALIFAX AVENUE AUTHORIZED** Motion made by Member Swenson and seconded by Member Housh authorizing Change Order in the amount of \$8,530.00 changing the method of rehabilitation for Well No. 3, located at 5233 Halifax Avenue.

Motion carried on rollcall vote – five ayes.

**\*RESOLUTION NO. 2008-53 APPROVING URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN FY 2009 – 2011** Motion made by Member Swenson and seconded by Member Housh to adopt Resolution No. 2008-53 approving the Fiscal Year 2009-2011 Urban Hennepin County Community Development Block Grant Program.

Motion carried on rollcall vote – five ayes.

**\*CONFIRMATION OF CLAIMS PAID** Motion made by Member Swenson and seconded by Member Housh approving payment of the following claims as shown in detail on the Check Register dated May 22, 2008, and consisting of 31 pages; General Fund \$366,317.19; CDBG Fund \$23,260.00; Communications Fund \$3,983.96; Working Capital Fund \$77,700.01; Art Center Fund \$4,910.50; Golf Dome Fund \$15,724.12; Aquatic Center Fund \$1,107.86; Golf Course Fund \$10,570.85; Ice Arena Fund \$16,941.45; Edinborough/Centennial Lakes Fund \$24,498.01; Liquor Fund \$179,703.89; Utility Fund \$87,349.28; Storm Sewer Fund \$86.00; PSTF Agency Fund \$758.63; **TOTAL \$812,911.75** and for approval of payment of claims dated May 29, 2008, and consisting of 30 pages: General Fund \$99,147.15; Communications Fund \$3,855.07; Working Capital Fund \$7,371.01; Art Center Fund \$21,462.53; Aquatic Center Fund \$7,363.26; Golf Course Fund \$14,166.09; Ice Arena Fund \$713.52; Edinborough/Centennial Lakes Fund \$16,626.29; Liquor Fund \$176,733.72; Utility Fund \$43,760.35; Storm Sewer \$48,022.50; PSTF Agency Fund \$3,264.67; **TOTAL \$442,486.16**

Motion carried on rollcall vote – five ayes.

**MAYOR HOVLAND'S TRIP TO BROOKINGS INSTITUTE, WASHINGTON D.C. AUTHORIZED** Mayor Hovland explained he had been invited to attend a program at the Brookings Institute entitled "Blueprint for Prosperity" in Washington DC. He said that he intended to cover part of the expenses personally, but asked for Council to authorize his expenses for the trip. **Member Housh made a motion, seconded by Member Bennett, to authorize the expenses of Mayor Hovland's trip to Washington DC to attend the "Blueprint for Prosperity" program at the Brookings Institute.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 10:20 p.m.

Respectfully submitted,

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Debra A. Mangen, City Clerk